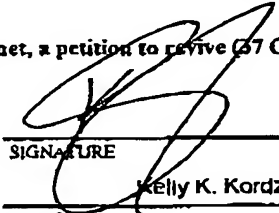


EV 507272302 US

FORM PTO-1370 (REV. 10-2001)		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		ATTORNEY'S DCKET NUMBER 25438-P009WOUS	
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371				U.S. APPLICATION NO. (If known, see 37 CFR 1.510/506.653)	
INTERNATIONAL APPLICATION NO. PCT/US0307577		INTERNATIONAL FILING DATE 11 March 2003		PRIORITY DATE CLAIMED 11 March 2002	
TITLE OF INVENTION DOUBLE-ELECTRET MEMS ACTUATOR					
APPLICANT(S) FOR DO/EO/US SELBREDE, Martin G.					
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:					
1. <input type="checkbox"/> This is a FIRST submission of items concerning a filing under 35 U.S.C. 371.					
2. <input checked="" type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371.					
3. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.					
4. <input type="checkbox"/> The US has been elected (Article 31).					
5. <input type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2))					
a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau).					
b. <input type="checkbox"/> has been communicated by the International Bureau.					
c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).					
6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).					
a. <input type="checkbox"/> is attached hereto					
b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).					
7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))					
a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau).					
b. <input type="checkbox"/> have been communicated by the International Bureau					
c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired					
d. <input type="checkbox"/> have not been made and will not be made.					
8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).					
9. <input type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4))					
10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).					
Items 11 to 20 below concern document(s) or information included:					
11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.					
12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included					
13. <input type="checkbox"/> A preliminary amendment.					
14. <input type="checkbox"/> An Application Data Sheet under 37 CFR 1.76.					
15. <input type="checkbox"/> A substitute specification.					
16. <input type="checkbox"/> A power of attorney and/or change of address letter.					
17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825.					
18. <input type="checkbox"/> A second copy of the published international application under 35 U.S.C. 154(d)(4)					
19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).					
20. <input checked="" type="checkbox"/> Other items or information: Petition for Revival of an International Application for Patent Designating the U.S. Abandoned Unintentionally Under 37 CFR 1.137(b); Postal Receipt Card					

EV 507272302 US

U.S. APPLICATION NO. (if known see 37 CFR 1.2) 10/505,653		INTERNATIONAL APPLICATION NO. PCT/US03/07577		ATTORNEY'S DOCKET NUMBER 25438-P009WOLUS	
21. <input checked="" type="checkbox"/> The following fees are submitted: BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)): Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO. \$1080.00 International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO \$920.00 International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO ... \$770.00 International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4) \$730.00 International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4) \$100.00 ENTER APPROPRIATE BASIC FEE AMOUNT =				CALCULATIONS PTO USE ONLY	
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(c)).				\$	770
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	\$	
Total claims	23 - 20 =	3	x \$18.00	\$	54
Independent claims	2 - 3 =		x \$86.00	\$	
MULTIPLE DEPENDENT CLAIM(S) (if applicable)				\$	
TOTAL OF ABOVE CALCULATIONS =				\$	824
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				\$	412
SUBTOTAL =				\$	412
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				\$	
TOTAL NATIONAL FEE =				\$	412
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +				\$	
TOTAL FEES ENCLOSED =				\$	412
				Amount to be refunded:	\$
				charged:	\$
a. <input checked="" type="checkbox"/> A check in the amount of \$ 412 to cover the above fees is enclosed.					
b. <input type="checkbox"/> Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees. A duplicate copy of this sheet is enclosed.					
c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>23-2425</u> . A duplicate copy of this sheet is enclosed.					
d. <input type="checkbox"/> Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.					
NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137 (a) or (b)) must be filed and granted to restore the application to pending status.					
SEND ALL CORRESPONDENCE TO:					
Kelly K. Kordzik Winstead Secrest & Minick P.C. P.O. Box 50784 Dallas, Texas 75201 United States of America				SIGNATURE _____  NAME Kelly K. Kordzik REGISTRATION NUMBER 36,571	

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Direct dial: 512.370.2851
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FAX COVER SHEET

207:25438-P009WOUS

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Attorneys and Counselors
A Professional Corporation

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TONI STANLEY
Typed or printed name of person signing Certificate

Registration Number, if applicable

In re Application of: Salbrede
Serial No: 10/506,653 (PCT/US2003/007577)
Filing Date: 03 September 2004

512-370-2928

Telephone Number

Total number of pages: 11

Docket No: 25438-P009WOUS

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DOCUMENTS INCLUDED: Certification (2 pages), with copies of the following documents as filed with the PTO on 17 March 2005: Transmittal Letter to the USRO (2 sheets), Petition to Revive (2 sheets), Checks for \$750.00 and \$412.00 (2 sheets); Express Mail label (1 sheet) and Return Post Card stamped by the PTO on 17 March 2005 (1 sheet).

This collection of information is required by 37 CFR 1.8. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Consistency is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 18 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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ATTORNEY DOCKET NO.
25438-P009WOUS

PATENT
10/506,653

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Martin G. Selbrede
Serial No.: 10/506,653
Filing Date: September 3, 2004
Int'l Application No: PCT/US2003/007577
Int'l Filing Date: 11 March 2004
Art Unit: Not yet assigned
Title: DOUBLE-ELECTRET MEMS ACTUATOR

Mail Stop: PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

CERTIFICATION

Pursuant to a telephone conference between Viola Ange, IP Specialist, of this office and Sue Wolski of the PCT Help Desk, this document, and its attachments, are being filed to replace the package that was filed with the PTO on 17 March 2005.

The undersigned hereby certifies that the attached 8 sheet are a true and correct copy of the package as filed with the PTO on 17 March 2005. These documents include:

1. Transmittal Letter to the USRO (2 sheets);
2. Petition to Revive (2 sheets);
3. Checks for \$750.00 and \$412.00 (2 sheets);

ATTORNEY DOCKET NO.
25438-P009W0US

PATENT
10/506,653

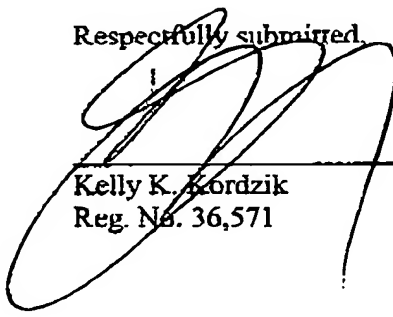
4. Express Mail label evidencing deposit with the US Postal Service on 17 March, 2005 (1 sheet); and

5. Return Post Card stamped by the PTO on 17 March 2005 evidencing receipt of this package (1 sheet).

Please do not hesitate to contact the undersigned at 512.370.2851, or Viola Ange at 214.745.5443 should there be any questions.

Respectfully submitted,

Date: August 2005



Kelly K. Kordzik
Reg. No. 36,571

WINSTEAD SECHREST & MINICK P.C.
P.O. Box 50784
Dallas, Texas 75201
Phone: 512.370.2851
Fax: 214.745.5390

Dallas_1 4214519v.1

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PTO/SB/64/PCT (12-04)

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**PETITION FOR REVIVAL OF AN INTERNATIONAL APPLICATION FOR PATENT
DESIGNATING THE U.S. ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)**Docket Number
(Optional)
25438-P009WOUS

First Named Inventor: Martin Selbrede

International (PCT) Application No. PCT/US02/07577

U.S. Application No. 10/506,653
(if known)

Filed: September 3, 2004

Title: DOUBLE-ELECTRET MEMS ACTUATOR

Attention: PCT Legal Staff
Mail Stop PCT
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P.O. Box 1450
Alexandria, VA 22313-1450

The above-identified application became abandoned as to the United States because the fees and documents required by 35 U.S.C. 371(c) were not filed prior to the expiration of the time set in 37 CFR 1.495(b) or (c) as applicable. The date of abandonment is the day after the date on which the 35 U.S.C. 371(c) requirements were due. See 37 CFR 1.495(h)

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

NOTE: A grantable petition requires the following items:

- (1) Petition fee
- (2) Proper reply
- (3) Terminal disclaimer with disclaimer fee which is required for all international applications having an international filing date before June 8, 1995; and
- (4) Statement that the entire delay was unintentional

1. Petition fee☒ Small entity - fee \$ 750.00 (37 CFR 1.17(m)). Applicant claims small entity status.
See 37 CFR 1.27.☐ Other than small entity - fee \$ _____ (37 CFR 1.17(m))**2. Proper reply****A. The proper reply (the missing 35 U.S.C. 371(c) requirement(s)) in the form of**
U.S. Basic National Fee _____ (identify type of reply):☐ has been filed previously on _____☒ is enclosed herewith.

[Page 1 of 2]

This collection of information is required by 37 CFR 1.137(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 10 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1480, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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3 Terminal disclaimer with disclaimer fee

☒ Since this international application has an international filing date on or after June 8, 1995, no terminal disclaimer is required.

☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ _____ for a small entity or \$ _____ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. Statement. The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional.

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Signature

Kelly K. Kordzik

Typed or Printed Name

P.O. Box 50784

Address

Dallas, Texas 75201

Address_____
Date

36,571

Registration Number, if applicable

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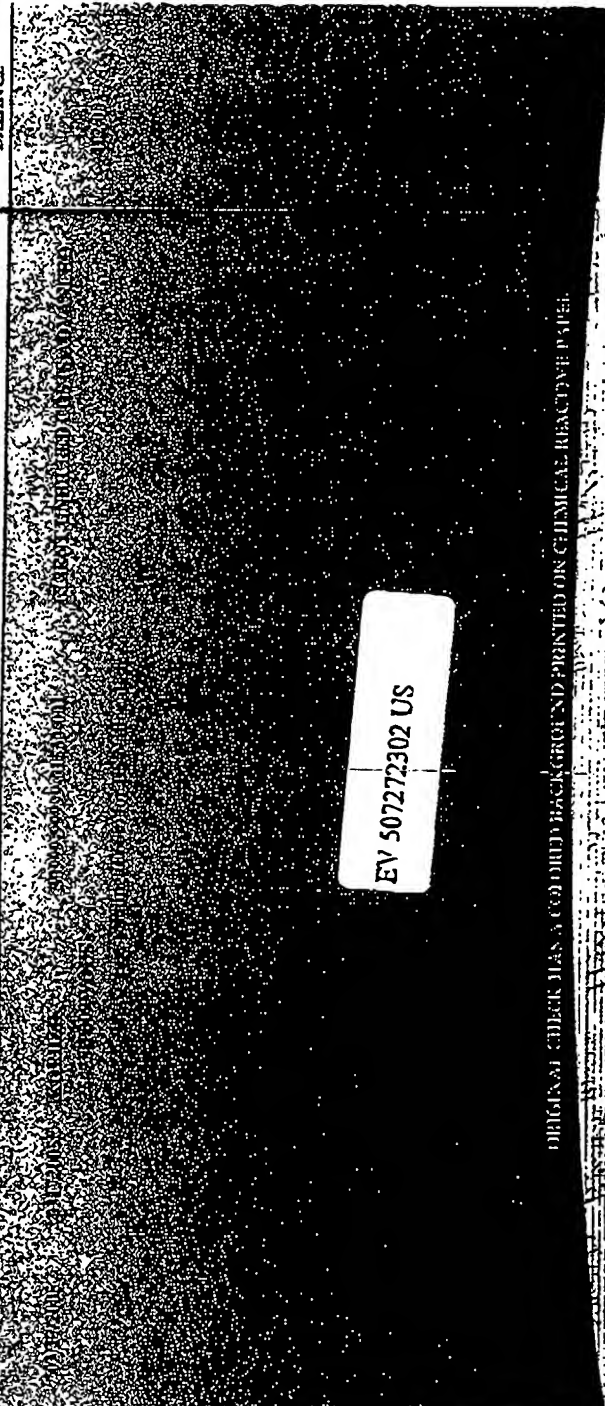
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<input type="checkbox"/> App'l Data Sheet	<input type="checkbox"/> Fee Transmittal	PTO RECEIPT DATE STAMP
<input type="checkbox"/> Provisional	<input checked="" type="checkbox"/> Check(s) - \$ <u>412.00</u>	<div style="border: 1px solid black; padding: 5px; text-align: center;"> DT03 Rec'd PCT/PTO 17 MAR 2005 </div>
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<input type="checkbox"/> Utility	<input type="checkbox"/> Maintenance Fee Transmittal	
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<input type="checkbox"/> Design	<input type="checkbox"/> APPEAL <input type="checkbox"/> APPEAL BRIEF <input type="checkbox"/> REPLY BRIEF	
<input type="checkbox"/> PCT	<input checked="" type="checkbox"/> Petition Extension of Time <u>Months</u> <input checked="" type="checkbox"/> Check - \$ <u>750.00</u>	
<input type="checkbox"/> Drawing(s) <u>12</u> Sheets	<input checked="" type="checkbox"/> PETITION: <u>to Revoke Unintentionally Abandoned</u>	
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<input type="checkbox"/> Paper Copy	<input type="checkbox"/> Response to FORM	
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<input type="checkbox"/> PCT - Original / Copy	<input type="checkbox"/> Request for Correction	
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<input type="checkbox"/> IDS, PTO/SB/08A-B, # Ref		
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